



Office of Communications

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FOR IMMEDIATE RELEASE

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Huntington, three other WV cities, file lawsuit against Joint Commission

HUNTINGTON – West Virginia has been labeled “ground zero” in the nationwide opioid epidemic.

Today, the cities of Huntington, Charleston, Kenova and Ceredo filed a lawsuit seeking to enjoin the Joint Commission on Accreditation of Health Care Organizations (JCAHO) and its wholly-owned affiliate from their continued misinformation campaign and promulgation of dangerous pain management standards that encourage the over-prescription of opioids.

JCAHO sets standards and certifies virtually every health care organization in the United States and West Virginia. Certification is viewed by health care organizations as critical to their continued operation.

In 2001, JCAHO announced a new set of pain management standards. In a campaign to explain the standards, JCAHO spread misinformation about the addictive nature of opioids, which included statements such as, “Some clinicians have inaccurate and exaggerated concerns about addiction, tolerance and risk of death. This attitude prevails despite the fact there is no evidence that addiction is a significant issue when persons are given opioids for pain control.”

An April 13, 2016, letter signed by 61 prominent health care professionals informed JCAHO that “the pain management standards continue to encourage unnecessary, unhelpful and unsafe pain treatments that interfere with primary disease management,” and “foster dangerous pain control practices, the endpoint of which is often the inappropriate provision of opioids with disastrous adverse consequences for individuals, families and communities.”

According to Physicians for Responsible Opioid Prescribing (PROP), which built the coalition that sent the letter, JCAHO “responded defensively” and denied “any relationship between its pain management standards and opioid overprescribing.”

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The lawsuit seeks class action status in part to enjoin JCAHO from enforcing its dangerous standards nationwide. It also seeks damages to remedy the impact of JCAHO's continued promulgation and enforcement of the standards. The lawsuit is unique in its approach and is the product of ongoing, intensive research on how to stem the opioid epidemic plaguing West Virginia and the rest of the nation.

Huntington Mayor Steve Williams believes that this is the next logical step in the City's role as a nationwide leader in the fight against opioid addiction.

"This lawsuit is a critical move toward eliminating the source of opioid addiction and holding one of the most culpable parties responsible," Williams said. "For too long, JCAHO has operated in concert with opioid producers to establish pain management guidelines that feature the use of opioids virtually without restriction. The JCAHO standards are based on bad science, if they are based on any science at all.

"We need to take this opportunity to prevent a new generation of individuals from becoming addicted to opioids. At the same time, we need resources to help those who are suffering to recover and return to productive lives."

This lawsuit is in addition to and separate from a lawsuit filed by the City of Huntington in Cabell Circuit Court in January 2017 against Dr. Gregory Donald Chaney, AmerisourceBergen Drug Co., Cardinal Health Inc., and McKesson Corp. It alleges the defendants have caused and contributed to the opioid epidemic and will continue to cause the City of Huntington to spend substantial sums of public funds to deal with the consequences of the opioid epidemic that is fueled by the defendants' illegal, reckless, and malicious actions in flooding the state with highly-addictive prescription medications. Huntington seeks damages for reimbursement of expenses related to public safety.

The latest lawsuit is styled *City of Charleston, West Virginia, City of Huntington, West Virginia, City of Kenova, West Virginia, and Town of Ceredo, West Virginia, municipal corporations, and other municipal corporations similarly situated, v. The Joint Commission f/k/a The Joint Commission on Accreditation of Health Care Organizations & its wholly-owned affiliate Joint Commission Resources, Inc. d/b/a Joint Commission International*, Civil Action No. 2:17-cv-004267, and filed in the United States District Court for the Southern District of West Virginia. The City of Huntington is represented in the lawsuit by special counsel Talcott Franklin P.C., The Webb Law Centre, PLLC, and City Attorney Scott Damron.

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###Nominations can be emailed to Donna Rumbaugh at plantnerds@gmail.com or mailed to Neighborhood Institute of Huntington, P.O. Box 9291, Huntington, WV 25704. Nomination deadline is May 30.